

STATE PLANT BOARD

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
FOREIGN QUARANTINE NOTICESADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM
REQUIREMENTS OF NURSERY STOCK, PLANT, AND SEED QUARANTINE

Pursuant to the first proviso of Nursery Stock, Plant, and Seed Quarantine No. 37 (7 CFR 319.37 (a)), the Chief of the Bureau of Entomology and Plant Quarantine hereby amends administrative instructions exempting certain restricted articles from some of the requirements of the nursery stock, plant, and seed quarantine regulations (7 CFR 319.37-2a, B. E. P. Q. 576; 14 F.R. 1167, effective March 15, 1949) to read as follows:

§ 319.37-2a Administrative instructions exempting certain restricted articles from some of the requirements of the Nursery Stock, Plant, and Seed Quarantine Regulations.---The following articles are hereby exempted from the requirements of the regulations specified below:

Restricted plant material (except *Aglaonema*) for food, analytical, medicinal, or manufacturing purposes, enterable under § 319.37-2, is hereby exempted from the notice of arrival requirements of § 319.37-11.

All seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character (except seeds of *Lathyrus*, *Vicia*, and okra), enterable under § 319.37-4, are hereby exempted from the notice of arrival requirements of § 319.37-11 when the inspector at any port shall find and shall so inform the importers concerned that equivalent information is obtainable from ships' manifests or other sources and that the notice of arrival requirements are being waived.

All grains and cereals from Canada which are restricted plant material enterable under § 319.37-2 are hereby exempted from the provisions of §§ 319.37-7, 319.37-8, 319.37-9, 319.37-11, 319.37-15, and 319.37-16, relating respectively to costs and charges, inspection, treatment, notice of arrival, freedom from soil, and approved packing materials.

These instructions shall be effective March 6, 1950.

The purpose of this amendment is to add to present exemptions a waiver of notice of arrival requirements insofar as they apply to certain seeds when an inspector at any port shall find and shall so inform interested importers that equivalent information is obtainable from ships' manifests or other sources and that such requirements are so waived. Essential information concerning such shipments is usually obtainable from ships' manifests. In such cases, it is no longer considered necessary to require the furnishing of a notice of arrival. To this extent, the amendment relieves restrictions heretofore imposed. At some of the larger ports, however, operational procedures are such that it is impracticable to waive the notice of arrival requirements for these articles.



It is important that shippers be afforded this relief at the earliest possible date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause is found for the issuance of the amendment effective less than 30 days after its publication in the Federal Register.

(Sec. 5, 37 Stat. 316, 7 U. S. C. 159; 7 CFR 319.37 (a), 13 F.R. 4267)

Done at Washington, D. C., this 23d day of February 1950.

Acting Chief, Bureau of Entomology
and Plant Quarantine